

REMARKS

The Applicant wishes to thank Examiner Lindsay Bachman for extending the courtesy of a personal interview with the undersigned on January 28, 2008. Although no definitive agreement was reached regarding the proposed claims, the discussion has helped Applicant better understand some of the thoughts underlying the claim rejections.

Claims 41-73 are pending in the application and have been rejected to by the Examiner. Claims 41-73 have been canceled herein. New claims 74-98 have been added to more accurately reflect the differences between the present invention and the prior art as discussed during the interview. Applicant respectfully traverses each ground of rejection and request reconsideration and further examination of the application under 37 CFR § 1.111. Applicant responds to each ground of rejection and objection as follows.

A. New claims 74-98.

It is respectfully submitted that claim 74 defines over the prior art of record. Claim 74 specifically requires "wherein said filtering is solely performed by said conductor and nonconductive dielectric." As discussed during the personal interview, the prior art vessel filters apply inductors onto a vessel filter in order to create the resonant circuit, whereas in the present invention the resonant circuit is formed by the filtering structure itself. For example, the vessel filters of Mezler '837 (Figs. 8a and 8b) include the toothed elements 171 which form part of the filter. Although the Examiner has pointed to the phrase "[a]n unfoldable part of the device forms the inductor" (Mezler '837, col. 3, lines 55-56), it is clear from a reading of this in conjunction with the only vessel filters disclosed in Mezler '837 (i.e. those shown in Figs. 8a and 8b), that the inductor may be formed by the unfoldable part, but it is not the case that "said filtering is solely performed by said conductor and nonconductive dielectric" as required by Applicant's new claim 74. Even though the inductors 25 unfold with the rest of the filter when it is unfolded within the blood vessel, the toothed elements 171 also function as part of the filtering element. Furthermore, as discussed during the personal interview, the loops 202 of Wallace are discrete


loops superimposed upon each other (i.e. shorted together) and therefore do not comprise an inductor. It is therefore respectfully submitted that new claim 74 is allowable in view of the references of record.

New claims 75-98 depend from claim 74 and therefore include all of the limitations of claim 74. It is therefore respectfully submitted that new claims 75-98 are allowable over the references of record for at least the same reasons set forth above with respect to claim 74.

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance, and respectfully requests such action. Should it facilitate allowance of the application, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,

By



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